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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/037,259	12/21/2001	Warren McKinney	717228.7	6172

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EXAMINER

CHANG, YEAN HSI

ART UNIT	PAPER NUMBER
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2835

DATE MAILED: 09/26/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/037,259

Applicant(s)

MCKINNEY ET AL.

Examiner

Yean-Hsi Chang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 December 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,7-9 and 11-15 is/are rejected.
- 7) ☒ Claim(s) 3-6 and 10 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 December 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>4</u> | 6) <input type="checkbox"/> Other:  |

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the “a plurality of data storage devices” must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Specification***

2. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: The “said first adhesive is shrink resistant” in claim 3, and “the second adhesive is present on the carrier strip in a plurality of spots” in claim 10 are not discussed in the specification.

3. Claim 9 is objected to because of the following informalities: “the second adhesive was a surface area of contact an the card ...” in claim 9 does not make sense. Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-2 and 5-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Drexler (US 4,896,027).

Drexler teaches a data storage device display assembly including:

- A display panel (17, fig. 2) having at least two main surfaces (shown in fig. 2, not numbered) with one being a display surface (surface facing to the right) (claim 1)
- A data storage device attachment device (19, fig. 2) secured to said display surface, including a carrier strip (25, fig. 2), a first adhesive (hot-melt adhesive on one side of 25, fig. 2) on a first face (not numbered) and adhered to the display surface, and a second adhesive (Velcro on the other side of 25, fig. 2; also see col. 3, lines 49-52) on a second face (facing the card, not numbered), being a reusable adhesive (claim 1)
- A data storage device (13, fig. 2) being in contact with the second adhesive and removably secured to the panel (claim 1)

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- Wherein the first and second adhesives include pressure sensitive adhesive (see col. 3, lines 46-48) (claim 2)
- Wherein the peel strength of the second adhesive with the data storage device is less than the peel strength of the first adhesive with the display panel (e.g. Velcro to hot-melt) (claim 8)
- Wherein the second adhesive has a surface area of contact of the card less than a surface area of contact of the first adhesive on the display panel (the area of contact of Velcro is always less than the area of coverage) (claim 9)
- A method of making a data storage device display assembly as claimed in claims 11-15, being disclosed inherently in the specification

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Drexler.

Drexler discloses the claimed invention except indicating the carrier strip being made of a polymeric material. Since it is well known that Velcro is made of one kind of polymeric material, it would have been obvious to one having ordinary skill in the art at

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the time the invention was made to modify the device of Drexler by indicating the carrier strip being made of a polymeric material for not misleading the readers.

### ***Allowable Subject Matter***

8. Claims 3-6 and 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. The following is a statement of reasons for the indication of allowable subject matter: The best prior art of record, Drexler (US 4,896,027) fails to teach or reasonably suggest the first adhesive of the carrier strip of the data storage device attachment device, being shrink resistant after application to the display panel as set forth in claims 3-6; and wherein the second adhesive is present on the carrier strip in a plurality of spots as set forth in claim 10.

### ***Correspondence***

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yean-Hsi Chang whose telephone number is (703) 306-5798. The examiner can normally be reached on 07:30-16:00.

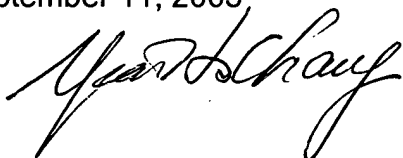
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on (703) 308-4815. The fax phone

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number for the organization where this application or proceeding is assigned is (703) 305-3431 for regular communications and for After Final communications. There are RightFAX numbers and provide the fax sender with an auto-reply fax verifying receipt by the USPTO: Before-Final (703-872-9318) and After-Final (703-872-9319).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 305-8558.

Yean-Hsi Chang  
Patent Examiner  
Art Unit: 2835  
September 11, 2003

A handwritten signature in black ink, appearing to read 'Yean-Hsi Chang', written in a cursive style.